

**ASSEMBLY BILL**

**No. 1937**

---

**Introduced by Assembly Member Gordon**

February 19, 2014

---

An act to amend Section 956 of the Public Utilities Code, relating to natural gas.

LEGISLATIVE COUNSEL'S DIGEST

AB 1937, as introduced, Gordon. Natural Gas Pipeline Safety Act of 2011: emergency response standards.

Existing federal law requires the Pipeline and Hazardous Materials Safety Administration (PHMSA) within the United States Department of Transportation, to adopt minimum safety standards for pipeline transportation and for pipeline facilities, including an interstate gas pipeline facility and intrastate gas pipeline facility, as defined. Existing law authorizes the United States Secretary of Transportation to prescribe or enforce safety standards and practices for an intrastate pipeline facility or intrastate pipeline transportation to the extent that the safety standards and practices are regulated by a state authority that submits to the secretary annually a certification for the facilities and transportation. Existing law authorizes a state authority that has submitted a current certification to adopt additional or more stringent safety standards for intrastate pipeline facilities and intrastate pipeline transportation only if those standards are compatible with the minimum standards prescribed by the PHMSA.

The Natural Gas Pipeline Safety Act of 2011, within the Public Utilities Act, designates the commission as the state authority responsible for regulating and enforcing intrastate gas pipeline transportation and pipeline facilities pursuant to federal law, including

the development, submission, and administration of a state pipeline safety program certification for natural gas pipelines. The act requires the commission, by July 1, 2012, to open an appropriate proceeding or expand the scope of an existing proceeding to establish compatible emergency response standards that owners or operators of certain commission-regulated gas pipeline facilities would be required to follow. The standards require owners or operators of intrastate transmission and distribution lines to implement emergency response plans that are compatible with PHMSA's regulations concerning emergency plans. The act requires the commission to report to the Legislature on the status of establishing the compatible emergency response standards on or before January 1, 2013.

This bill would delete the requirement that the commission report to the Legislature on the status of establishing the compatible emergency response standards on or before January 1, 2013.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 956 of the Public Utilities Code is
- 2 amended to read:
- 3 956. (a) On or before July 1, 2012, the commission shall open
- 4 an appropriate proceeding or expand the scope of an existing
- 5 proceeding to establish compatible emergency response standards
- 6 that owners or operators of commission-regulated gas pipeline
- 7 facilities shall be required to follow for intrastate transmission and
- 8 distribution lines. The commission shall establish the standards to
- 9 ensure that intrastate transmission and distribution lines have
- 10 emergency response plans that adequately prepare them for a
- 11 natural disaster or malfunction that could cause injury to human
- 12 life or property, with the purpose of minimizing the occurrence of
- 13 both.
- 14 (b) The commission shall establish the compatible emergency
- 15 response standards in consultation with the California Emergency
- 16 Management Agency, the State Fire Marshal, and members of
- 17 California's first responder community including, but not limited
- 18 to, members of the California Fire Chiefs Association.
- 19 (c) The compatible emergency response standards shall require
- 20 owners or operators of intrastate transmission and distribution lines

1 to implement emergency response plans that are compatible with  
2 the United States Department of Transportation Pipeline and  
3 Hazardous Materials Safety Administration's regulations  
4 concerning emergency plans contained in Section 192.615 of Title  
5 49 of the Code of Federal Regulations, and those plans shall  
6 include, but not be limited to, all of the following requirements:

7 (1) Emergency shutdown and pressure reduction shall be utilized  
8 whenever deemed necessary and appropriate by the owners or  
9 operators to minimize hazards to life or property. An owner or  
10 operator shall notify appropriate first responders of emergency  
11 shutdown and pressure reduction.

12 (2) During an emergency response effort, the incident  
13 commander may direct coordination between first responders and  
14 owners or operators to ensure timely and ongoing communication  
15 on decisions for emergency shutdown and pressure reduction.

16 (3) Owners or operators of intrastate transmission and  
17 distribution lines shall establish and maintain liaison with  
18 appropriate fire, police, and other public officials to do all of the  
19 following:

20 (A) Learn the responsibility and resources of each government  
21 organization that may respond to a gas pipeline emergency,  
22 including, but not limited to, the role of the incident commander  
23 in an emergency.

24 (B) Acquaint the officials with the owner's or operator's ability  
25 in responding to a gas pipeline emergency.

26 (C) Identify the types of gas pipeline emergencies of which the  
27 owner or operator notifies the officials.

28 (D) Plan how the owner or operator and officials can engage in  
29 mutual assistance to minimize hazards to life or property.

30 (E) Identify and update information on individual personnel  
31 responsible for the liaison with the appropriate first responder  
32 organizations.

33 (4) Owners and operators of intrastate transmission lines shall  
34 provide the State Fire Marshal and the chief fire official of the  
35 applicable city, county, city and county, or fire protection district  
36 with instructions on how to access and utilize the National Pipeline  
37 Mapping System developed by the United States Department of  
38 Transportation, Pipeline and Hazardous Materials Safety  
39 Administration, utilizing data submitted pursuant to Section 60132

1 of Title 49 of the United States Code, to improve local response  
2 capabilities for pipeline emergencies.

3 ~~(d) (1) The commission shall report to the Legislature on the~~  
4 ~~status of establishing the compatible emergency response standards~~  
5 ~~on or before January 1, 2013.~~

6 ~~(2) A report to be submitted pursuant to paragraph (1) shall be~~  
7 ~~submitted in compliance with Section 9795 of the Government~~  
8 ~~Code.~~

O